

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOSEPH T. EVANS,

Plaintiff,

v.

WILLIAM HAYES, et al.,

Defendants.


Case No. C05-0133-MJP-JPD

ORDER OF DISMISSAL

The Court, having reviewed plaintiff's motion for summary judgment and defendants' motion for summary judgment in this 42 U.S.C. § 1983 civil rights action, together with all papers and exhibits in support and in opposition to that motion, the Report and Recommendation of the Honorable James P. Donohue, United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) Plaintiff's motion for summary judgment is DENIED. Defendant's motion for summary judgment is GRANTED, and this action is DISMISSED with prejudice; and
- (3) The Clerk is directed to send copies of this Order to the parties and to Judge Donohue.

DATED this 7th day of November, 2005.


Marsha J. Pechman
United States District Judge